THE HON'BLE MR JUSTICE S. ANANDA REDDY

WRIT PETITION NO:17500 OF 2005

DATED:09.08.2005

Between:

Gadde Satyanarayana, S/o. Pedda Subbanna,

Aged 79 years, R/o. Buttaigudem Village &

Mandal, W.G. District.

……PETITIONER

AND

The Special Deputy Collector (Tribal Welfare),

Kotaramachandrapuram, Buttaigudem Mandal,

West Godavari District. and another.

……RESPONDENTS

THE HON'BLE MR JUSTICE S. ANANDA REDDY

WRIT PETITION NO:17500 OF 2005

ORDER

This Writ Petition is filed by the petitioner aggrieved by the inaction of the second respondent in passing orders for surveying the land of the petitioner in R.S.No.665/4 of Buttaigudem Village and Mandal of West Godavari District.

According to the petitioner, he is the owner of the land of an extent of Ac.8.00 cents in R.S.No.665/4 (old patta No.36) of Buttaigudem Village. Originally, the land belongs to Zamindar of Gutala and one Sri H.Tirumalacharyulu, a non-tribe obtained a permanent lease from the Zamindar on 6.12.1929 and thereafter, the petitioner purchased the same from the said non-tribe under a registered document, dated 9.6.1957. From the date of the purchase, the petitioner has been in continuous possession and enjoyment of the same. It is further stated that as the land is situated in the agency area, the Special Deputy Collector, Eluru initiated proceedings under the A.P. Scheduled Areas Land Transfer Regulations in S.R.No.86/1979 at the instance of one Tellam Bhimudu, R/o. Dasayyapalem. During the course of enquiry, the petitioner appeared before the Special Deputy Collector representing that he had purchased the land, and ultimately, the Special Deputy Collector dismissed the petition made by the claimant therein.

As the second respondent raised a dispute with reference to the passing of a canal through the petitioner's land, the petitioner made an application on 15.6.2005 requesting the second respondent to get the land of the petitioner surveyed and to fix the boundaries as per the old patta No.36 of the village. Though the said representation was made on 15.6.2005 paying the necessary fee for completing the survey, the second respondent did not pass any orders. Therefore, the petitioner has come up with the present Writ Petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

In view of the facts and circumstances of the case, the Writ Petition is disposed of at the stage of admission directing the second respondent to consider the representation of the petitioner, dated 15.6.2005 and complete the survey of the petitioner's land at the cost of the petitioner. The said exercise is directed to be completed within a period of six weeks from the date of receipt of a copy of this order. No costs.

_____

S. ANANDA REDDY,J

09TH AUGUST 2005

Tsr